

### **REMARKS/ARGUMENTS**

The present amendment is submitted in response to the Office Action dated February 2, 2009, which set a three-month period for response. Filed herewith is a Request for a One-Month Extension of Time, making this amendment due by June 2, 2009.

Claims 25-45 are pending in the application.

#### **Drawings**

The Examiner has indicated that the holding straps "disposed above and below the seat" as in claim 34 are not shown in the drawings. However, Applicant respectfully submits that Fig. 3 in fact shows the holding straps 29 in the manner defined in claim 34. In particular, Fig. 3 shows that the holding straps 29 extend between the anchor ties 32 that are disposed below the seat 24 and the connect above the seat to the transverse straps 15. The continuous straps are thus illustrated as being "disposed above and below the seat".

The Examiner has also indicated that the textile matting secured to the vertical straps between the back support and the head support as in claim 44 is not shown. However, Applicant respectfully submits that the textile collision matting 63 as illustrated in Fig. 8 and Fig. 6 shows the seat in the mesh framework 40, which includes the straps 62, the straps 18 and the support surfaces 61. Thus, for one of ordinary skill in the art a combination of Figs. 6 and 8 more than adequately shows the features of claim 44.

#### **Specification**

The Examiner is thanked for pointing out that the priority date should properly be December 20 instead of December 30. Appropriate corrections have been made to the specification. With regard to the comment that incorrect incorporation of essential

material has been made, Applicant would like to point out that the references to the foreign applications are merely references to the priority documents of the present application, and that such references are appropriate (see MPEP 201.13 II.G).

### **Claim Rejections – 35 U.S.C. § 112**

The Examiner's objections under 35 U.S.C. 112 are not understood. In general, the claims define the mesh frameworks 40, especially by the use of various "wherein" clauses, which certainly conform with current U.S. claim drafting practice.

With regard to claim 25, to address the insufficient antecedent basis objections, "the pattern" has been changed to "a pattern", and "the width" has been changed to "a width". With regard to the objection to "within the pattern of the seats that are to be installed" as being unclear, Applicant would like to point out that associated with each seat 25 is one of the mesh frameworks 40, which is comprised of transverse straps 15 and vertical straps 18. The individual mesh frameworks 40 must then be disposed in the transport compartment 10 in exactly the manner as later the seats are to be positioned in the transport compartment. Thus, "the pattern of the seats that are to be installed" means the position of the seats in the transport compartment, whereby such pattern or position of the seats can readily vary as desired. One of ordinary skill in the art would understand that the individual mesh frameworks 40 are to be installed in conformity with this pattern or position of the seats.

With regard to claim 26, the language "a double-rowed back-to-back arrangement of two seats" means that two rows of seats are provided that are arranged back-to-back. With such an arrangement, also provided for each two seats are a dual or doubled arrangement of the vertical straps 18, which, however, are respectively connected to only a unitary, i.e. one or a single, transverse strap 15. In other words, a plurality of

vertical straps 18 can be connected to a single transverse strap 15.

With regard to claim 29, this claim is intended to cover the two alternatives for the provision of the eyelets 20 that are provided for the connection of the vertical straps 18 and the transverse straps 15 at their points of intersection. The eyelets 20 can either be disposed in a vertical strap 18, so that the other, or transverse, strap 15 can then be connected to the eyelets, or the eyelets can be disposed in the transverse straps 15, whereupon then the other, or vertical, straps 18 can be connected to the eyelets. In view of the Examiner's objection, to avoid confusion the word "respectively" has been deleted.

With regard to the objection to claim 34, although the Examiner states that "it appears that the straps are already part of the mesh framework", this is not the case. Rather, the mesh framework 40 is comprised only of the vertical straps 18 and the transverse straps 15. Claim 34 then provides for additional holding straps 29 that are separate from the mesh framework 40 and are used, for example in addition to the vertical straps 18, for the securement of the seat. One end of the holding straps is anchored to the mesh framework, and the other end is anchored to anchoring means attached to the vehicle. Claim 34 has been amended to clarify this anchoring. In addition, as can be seen from Fig. 3 the holding straps 29 are in fact "disposed above and below the seat".

The Examiner's objections to claim 35 are not understood. Claim 35 provides a seat "that is to be secured to said vertical straps of said mesh framework." Furthermore, claim 35 clearly states that to support a seat pan 50, lateral support straps 51 are provided that laterally border the seat pan 50 and that are secured to the vertical straps 18. The following portion of claim 35 then precisely describes the course of these lateral

support straps 51. In this regard, the Examiner's attention is also respectfully directed to Figs. 5, 6 and 7. In particular, claim 35 states that the portion 52 of the lateral support strap 51 extends from a lower securement location 64, at which the support strap 51, namely the portion 52 thereof, is secured to the vertical strap 18. Proceeding from the securement location 64, each support strap 51 extends, via the portion 52, along side edges of the seat pan 50 to front corners 54 of the seat pan. From the front corners 54, the lateral support straps 51 are, so to speak, deflected and follow a course inclined relative to a vertical axis, being guided back to the vertical straps 18 (via the portions 53 of the support straps 51); here the vertical support straps 51 are secured to the vertical straps 18 at the upper securement location 65. This portion of claim 35 defines a somewhat triangular course for each lateral support strap 51, and the two support straps 51, between which is disposed the seat pan 50, together with the vertical straps 18 to which they are secured, form a strap structure in which the seat pan 50 can be folded or pivoted. Again, the Examiner's attention is respectfully directed to Figs. 5-7. With regard to the Examiner's objection to "front corners", since a seat must have a front and a back, the Examiner's objection is not understood. The front corners 54, which can be seen in Fig. 5, are opposite from the rear end 55 of the seat pan 50 where the securement locations 64 are located.

With regard to claim 36, Applicant respectfully submits that the language thereof is also clear. In particular, claim 36 states that the rear end 55 of the seat pan 50 extends between the vertical straps 18, with the rear end 55 of the seat pan, during folding or pivoting of the seat pan, then being guided in the region enclosed by the vertical straps. However, to address the Examiner's concern claim 36 has been amended to change "guided" to "disposed".

With regard to claim 37, for clarification purposes "control portion" has been changed to "control element". As can be seen from Fig. 5, the control element 56, such as a control cable, is guided over the guide member 57.

To address the Examiner's concern with claim 41, the "continues in" language has been replaced by "is adjoined by". This situation is seen from the illustration of Fig. 6, where the head support 60 is adjoined laterally by the support surfaces 61.

With regard to claim 43, since the "holding" strap 62 thereof is intended to refer to the support strap 62 recited in claim 41, claim 43 has been corrected to recite a "support strap".

#### **Claim Rejections – 35 U.S.C. § 103**

The Examiner has rejected, among others, claim 25 under 35 U.S.C. 103(a) over Reilly. This reference was mentioned in the introductory portion of Applicant's specification, and is merely the starting point for the present invention, which proceeds well beyond Reilly, as will be discussed in detail below.

Applicant's independent claim 25 provides the following features:

- a) mesh frameworks (40) composed of textile straps;
- b) wherein the mesh frameworks (40) are suspended, within the pattern of seats that are to be installed, between roof (12) and floor (13) surfaces of the transport compartment (10) and oppositely disposed side walls (11) that extend in the direction of movement of the vehicle;
- c) wherein each seat (25) is individually secured to an associated one of the mesh frameworks (40);
- d) wherein the mesh frameworks (40) are in turn secured, under tension, to support elements of the vehicle;

- e) wherein each mesh framework (40) is comprised of two transverse straps (15) and two vertical straps (18);
- f) wherein the transverse straps (15) are spaced from one another by the width of the seat and are suspended between the side walls (11) in the vicinity of the roof surface (12);
- g) wherein the vertical straps (18) are spaced from one another by the width of the seat and are suspended between the roof surface (12) and the floor surface (13); and
- h) wherein the transverse straps (15) and the vertical straps (18) are interconnected at points (19) where they intersect one another.

With Reilly, the seat is secured to a vehicle structure by means of individual straps 21, 57, 47, etc.; a corresponding anchoring to the vehicle is or must be associated with each individual securement strap. In addition, the safety straps provided for the seat are also utilized for the anchoring of the individual seat. Each individual seat is suspended, via its vertical support straps 21, on a transverse beam 11 that is movably disposed between two fittings 16 and 17 that are mounted on a bulkhead 18, and hence are secured to the vehicle. Such a seat securement for each individual seat in a vehicle, especially aircraft, thus requires extensive components within the transport compartment of the aircraft that limit the utilization of the aircraft, since although such components are necessary for the transport of personnel, they are an obstruction for the transport of loads. In addition, the components 14-17 and 11 of Reilly can or should be installed only on the longitudinal walls of the fuselage of the aircraft, so that seats mounted in conformity with the teaching of Reilly cannot be installed in a central row of the transport compartment, as furthermore required by Applicant's claim 25.

It is therefore an object of the present invention to avoid such complicated components for the suspension or support of individual seats. To this end, the present invention ultimately replaces the fixed components 14-17 and 11 of Reilly by easy to install and remove supports for the seats. For just this reason claim 25 requires a respective mesh framework 40 that is associated with each individual seat, and which so to speak can be easily installed and also removed at any desired location in the vehicle. The respective seat 25, which is configured separately from this mesh framework 40, can then be secured to the mesh framework. Thus, the mesh network 40 and the seat 25 are entirely separate from one another, whereas with Reilly the straps 21, 42, 47 mentioned by the Examiner are a component of the seat and are secured directly to numerous anchor means that are secured to the vehicle. In distinct contrast to Reilly, the mesh network 40 of Applicant's claim 25 offers a securement basis for securing a seat that replaces the fixed components 14-17 and 11 of Reilly.

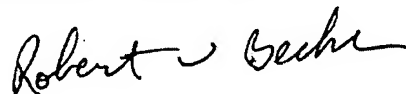
Applicant's mesh framework 40, which is to be installed into the vehicle or to be removed therefrom, and which by itself has no connection with the seat that is later to be secured in position thereon, is comprised of two transverse straps 15, which are spaced from one another by the width of the seat and are suspended between the side walls 11 in the vicinity of the roof surface 12, as well as two vertical straps 18, which are also spaced from one another by the width of the seat and are suspended between the roof surface 12 and the floor surface 13, wherein the transverse straps 15 and the vertical straps 18 are interconnected at points 19 where they intersect one another, all as required by claim 25. With these features, a mesh framework composed of textile straps is provided that offers a stable and robust structure for the suspension of individual seats thereon.

The foregoing provides a patentable distinction between Reilly and the present

invention as defined in claim 25; the two concepts for securing a seat in position in a transport compartment of a vehicle are in no way comparable to one another. Thus, Applicant respectfully disagrees with the Examiner's assessment that the straps 21, 42, 47, etc. of Reilly are the same as Applicant's mesh framework 40, because the mesh framework 40 of Applicant's claim 25 replaces the fixed components 14-17, 11 of Reilly for supporting a single seat. There is furthermore no motivation or suggestion in Reilly to one of skill in the art to eliminate the fixed and absolutely necessary components 14-17, 11 of Reilly for supporting the seat, and to then replace them with a mesh framework comprised of textile straps as defined in Applicant's claim 25.

In view of the foregoing discussion and the amendments to the claims, Applicant respectfully submits that claims 25-45 now clearly distinguish the present invention over the cited references. However, if the Examiner believes additional or clarifying claim language would be helpful, Applicant would very much welcome any suggestions. In addition, in an effort to resolve any outstanding issues, the undersigned would also very much welcome a telephone call from the Examiner in order to be able to expedite placement of the application into condition for allowance.

Respectfully submitted,



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